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Developing Legislative Public Education Strategies for the Montana Legislative Council

Prepared for the Public Education Subcommittee of the Legislative Council
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Background

In late summer, 1999, the Legislative Council identified the need for improved public education as the most important long-range issue for the Legislative Council to address. As a strategic issue, the Council portrayed the matter thus:

1. **What is the issue?** How can the council educate the public about the legislative process?
2. **Why is this an issue?** The public doesn't understand how budgeting process works, what term limits mean, don't trust government or their legislature. Term limits offers timing that creates an impetus to make more effort in this area. It is one of the Council's specific mission statements, but one which is not performed.

¹First draft written and distributed in October 1999.

3. What are the *consequences* of not addressing this issue? Further distrust of government; less understanding of and support for government; a system that doesn't work because fewer people want to serve and don't get supported when they do serve.

A less informed public, misunderstanding about the process, resulting in less public confidence and perhaps less legislative implementation of the public interest.

4. *How* will the Council develop strategies² for this issue? The Council has authorized appointment of a subcommittee to undertake a study of televising legislative proceedings that will also undertake this task.

Earlier in the interim, the Council had undertaken a study requested by HJR 18 to look into the possibility of broadcasting proceedings of the legislature.³ The Council recognized, as did HJR 18, that broadcasting is a means of educating the public about the legislature. The Council adopted a plan for conducting the broadcasting study and appointed a subcommittee to undertake it. The subcommittee was also assigned to develop strategies addressing the broader question of implementing the Council's civic education mission⁴. This paper documents potential civic education strategies including the broadcasting study.

Outline of Legislative Public Education Strategies for the Montana Legislature

² A "strategy" is something that can be done: a practical alternative, major proposal, action, or work program that can be undertaken to respond to a strategic issue.

³The study charge from HJR 18 reads: " That the Legislative Council be requested to designate an appropriate legislative interim committee to study the general issue of broadcasting legislative deliberations. The study should include: (1) examining the economic feasibility of broadcasting legislative deliberations, including identifying practical opportunities and approaches for financing;

(2) developing recommendations for designing the scope of the project, including programming, production, broadcasting, transmission, and distribution; and

(3) developing an outline for the management, administration, and governance of broadcasting legislative proceedings.

BE IT FURTHER RESOLVED, that the committee to which the study is assigned should look to approaches taken in the numerous other states that, in some form, broadcast legislative deliberations and should encourage the participation of private and public media representatives who have knowledge of similar activities and who may have current or future interest in broadcasting the deliberations of the Montana Legislature."

⁴The Legislative Council's mission, with emphasis added to the public education component is: to provide ongoing leadership, direction, and foresight for the efficient operation and improvement of the Legislative Branch; to establish personnel and pay policies in order to maintain professional and highly motivated employees; **to educate the public about the Legislature and foster public participation in the legislative process**; and to preserve the integrity of the Legislature as an equal branch of government.

Strategies must include both enhancing current programs and strategies related to public education and build on those through identification and support of additional strategies. To begin the discussion, here is a listing of existing and potential new strategies for addressing the topic.

1. **General Information Services**

The Legislature currently provides a wide variety of information services designed to meet public demands for information about what is going on in and around the state capitol. The study on broadcasting the legislature fits into the general information category as a possible extension of general information services beyond what Montana has done up until now. Possible strategies include continued recognition, expansion, and support of a number of these programs.

- a. **Telephone services.** Since the mid 1970's, the Legislature has supported the provision of information about the legislative process to the public over the telephone. The Legislative Services Division hires and trains operators to perform this function. Operators answer all sorts of questions regarding the status of bills and other matters related to the legislative process in addition to taking messages for legislators. As a budget reduction strategy, this information service, which had been operated through a toll free number, was moved to a normal toll call basis. That saved about \$8,000 during a session at that time. Long distance rates are dropping regularly, and this has not been much of an issue lately.
 - i. Strategy: Continue to support this service as is.
 - ii. Optional strategy: Reinstate toll free service for both its symbolic and actual value to the populace.
- b. **Web-based services.** Since the mid 1980's, the Legislature has supported dial-up access to its bill status database. Later, information was made more available using the State Bulletin Board System. With the advent of the World Wide Web and development of the Legislative Automated Workflow System (LAWS) by Legislative Services, extensive information about the Legislature and the legislative process is now available on the World Wide Web.
 - i. Strategy: Continue to support provision of legislative information using internet technologies.
- c. **Capitol visits.** Visits to the Capitol by student groups, adult groups, and individuals traditionally have offered an important teaching opportunity. Many people come to the Capitol for no other reason than to learn what goes on there. Legislative Services provides information through its main office and its information office both in the form of documents and answers to questions that help make the visits more meaningful.

Legislators often are contacted to meet with constituent groups and discuss the legislative process with them. The process is fairly informal and there is no specific Legislature wide promotion. Some states have produced programs that can be presented to visitors. Such programs may include presentations, discussions, handouts, and video presentations. Legislators may also be active players and be supported in that through training, publicity, and availability of supporting materials and programs.

- i. Strategy: enhance legislator involvement in Capitol visits through development of publicity, legislator training, and availability of supporting materials.
 - ii. Strategy: develop a Capitol-based civic education program to enhance visits for school groups, adult groups, or others using a variety of materials and media.
- d. **Broadcasting sessions and related programs.** Television, radio, and internet broadcasting all offer opportunities to expand public access to and education about the legislative process. Details of these opportunities will be addressed through the study on broadcasting legislative deliberations. The Legislature could also promote related programming designed to explain the background of the processes involved.
 - i. Strategy: Develop and support legislative session and committee meeting broadcasts using a variety of technologies as identified by the broadcasting study.
 - ii. Strategy: Develop and support programming designed for broadcast and classroom use that include educational content regarding the legislative process.
- e. **Documentation of Legislative Intent.** As a legal matter, interpretation of legislative intent becomes a detailed logical and evidentiary undertaking. Politically, interpretation of intent is fraught with the risk of reinterpretation for justification of decisions. From the public's perspective, the problem is a simple one -- what is the plain purpose behind a piece of legislation. The plain purpose is supported to some degree by efforts at plain language drafting of bills. Even so, bills remain highly structured pieces of technical writing whose purpose is objective clarity with respect to what is to be done rather than anything related to why it should be done. Committee meetings and floor debates are all about why something should or should not be done and how a bill does or does not seem to achieve what its sponsors suggest it should. The creation of an accurate record of meetings and events, thus, is one of the best means by which subjective intent may be documented. Simple to describe, the creation of accurate records is a difficult and relatively expensive undertaking. In Montana, there has never been a record of debate in Committee of the Whole despite the long tradition of such a record in other American political institutions such as the United States Congress. Efforts at creating records of

committee discussions have been decidedly uneven. In recent years, the House of Representatives despairing of being able to transcribe events accurately and effectively at an affordable cost, has attempted to rely on tape recordings for its record. The informal committee procedures and simple dictating machines used to create the recordings, however, are not up to the task, and consequently most recordings are largely useless. Senate committee minutes probably suffer from questions of accuracy with respect to what they purport to be in that they are only as good as the skill and care of the secretary and those checking the documents allow them to be. Improved records of intent would help educate the public as to why the legislature did what it did. Staff offices get a large number of questions from the public right after session about "why did they do that"? Sporadically throughout the interim people will call with a question about a particular law they have just become aware of. Some record to help people understand the reasoning that goes into a particular law makes the process more open and accountable.

- i. Strategy: Expand the broadcasting of sessions to include recording the available signal (audio and video as available) and incorporating it into the record. Broadcast quality audio would require adequate equipment and procedures that would correct much of the current deficiency if combined with an adequately designed set of processes for making the record.
 - ii. Strategy: Improve the recording technology used to record meetings along with applying improved discipline and formality in the committee sessions. This would allow identification of each person speaking and clear recording of what is said by that person for later use.
 - iii. Strategy: Provide that an exact transcript of the opening statement (or opening and closing statement) of a bill's sponsor or chief proponent be transcribed verbatim and made part of the committee minutes.
 - iv. Strategy: Commit resources, including training and sufficient staff, to creating complete, verified, transcripts of committee meetings.
 - v. Strategy: Include the Committee of the Whole in any or all of the foregoing strategies.
- f. **Interactive meetings.** Legislators have used the METNET interactive video system to conduct meetings with constituents. Similar sessions could be developed and enhanced

to add support and similar information on a remote interactive basis as would be provided in the Capitol visits strategy or the broadcast strategy. Training in the use of the web-based services could also be done using this technology.

- i. Strategy: Promote the use of METNET for interactive meetings between legislators and their constituents. Promotion would include training in the effective use of the technology.
 - ii. Strategy: Develop interactive training that can be delivered using this technology derived from training developed for use with Capitol visits, broadcasting strategies, and web-based strategies.
- g. **Written materials.** The Legislative Branch produces a number of documents designed to assist the public in understanding the legislative process and to help legislators teach the process. Such documents include, for example, "Having Your Say Before Montana Legislative Committees: It's Your Right," a citizens' guide to testifying in a committee; "Administrative Rulemaking in Montana," a primer on rulemaking for citizens and legislators alike; "Sources of Information and Publications," an annotated listing of all sorts of sources of information about the legislature and its processes very useful to the serious student of the process; and "Legislator Educational Information," a document designed to give legislators concise information to help them in school visits or other opportunities to educate the public.
 - i. Strategy: Review the content of all written materials designed or used for public education purposes, either directly or in support of legislators, to put them in an organized whole, identify gaps, and produce an identifiable series of documents with a common format and theme.
 - ii. Strategy: Develop written materials to complement (or to be used together with) audio visual components emerging from the broadcast strategy.

2. **Education-based Strategies**

Civic education is one of the most important roles of basic education in our culture. Schools at all levels offer programs in civic education that may be enhanced by direct legislative involvement. Legislators have been involved in the past, but strategies can be devised and adopted that can significantly expand and improve the content of legislative involvement. There are a number of programs actively being developed that the Legislative Council can exploit in developing additional strategies. Education-based strategies can most easily be considered at the elementary, middle school, high school, post secondary, and adult continuing education level.

- a. **Elementary school.** Elementary students learn the foundations of civic education through their social studies curricula, which consider American history and the formation of the American government. They practice democratic principles in the organization of their classrooms and often in the formation of rules to resolve disputes in the playing of games and the formation of clubs. Extra-curricular activities such as scouting programs include civic education activities in their programs.
 - i. Strategy: identify opportunities and develop programs around those opportunities to assist legislators in providing age appropriate information to elementary students in school or organization-based visits.
 - ii. Strategy: actively encourage legislators to identify and visit elementary schools and elementary aged youth groups to talk about the legislature and provide supportive training and materials.
- b. **Middle school.** Middle school social studies and youth group involvement builds on the civic education foundations and begins to become more sophisticated. Students become more involved in practicing democratic actions through election of school leaders.

The Center for Civic Education: <http://www.civiced.org/> has a number of programs. One program, We the People. . . Project Citizen, jointly sponsored with NCSL, potentially involves legislators.

Project Citizen is a civic education program for middle school students that promotes competent and responsible participation in state and local government. It actively engages students in learning how to monitor and influence public policy and encourages civic participation among students, their parents, and members of the community.

As a class project, students work together to identify and study a public policy issue, eventually developing an action plan for implementing their policy. The final product is a portfolio displaying each group's work.

In a culminating activity the class presents its portfolio in a simulated legislative hearing, demonstrating their knowledge and understanding of how public policy is formulated. Classes may also be able to enter their portfolios in a local competition with other classes. Local winners submit their portfolios for a statewide competition, and state winners go on to be evaluated in the Project Citizen national finals.

Montana's state coordinator for this program, Sally Broughton, a teacher at Monforton School near Bozeman, provided a packet of information on the program. She indicates

there will be a contest for students in June, 2000, at which legislators could serve as judges.

Other program suggestions for legislator involvement are fairly general, but fit in well with strategies discussed generally in this paper:

Sign and present award certificates, speak at simulated legislative hearings, serve as a judge, and welcome students from your district to your office;

discuss public policy issues with students in their classrooms and speak at teacher training workshops; and

support the efforts of the local and state coordinators in all aspects of program implementation.

- i. Strategy: Learn more about this program and actively promote legislator involvement in it.

c. **High School.**

There are a number of programs for high school age students worthy of legislative support and involvement. Here are a few:

- i. Youth and Government. Participants work in local clubs (school-based or YMCA based) in their local communities throughout the year. They study the political party system, practice parliamentary procedure, discuss current social and economic issues, campaign for office and write legislative bills.

The culmination for the program is the Montana Youth Legislature and Model Supreme Court held each spring in Helena. Students convene in a mock session in our historic State Capitol, using the actual House, Senate, and the Old Supreme Court Chambers. For three and a half days, they progress through the steps of the legislative process to act upon the bills they have written. Students introduce their bills, testify in legislative committee hearings, debate on the floor of the House and Senate and ultimately send successful legislation to the Youth Governor for a signature or a veto. Student Attorneys argue appeals cases and Student Justices decide issues of Montana Law. In addition, participants also publish a daily newspaper, lobby for special issues, form a Governor's Cabinet, work as pages, and generally get a first hand look at the workings of state government. In each session, students also participate in caucuses, campaign

for the following year's statewide offices, and enjoy the formal Governor's banquet and ball.

Some Montana Legislators have been quite active in supporting this program as rules advisors and board members. The Executive Director of Legislative Services has served on the board since at least the early 1980's. The Legislature has long cooperated in making its chambers and committee rooms available for student use.

(1) Strategy: Continue to support the Youth and Government Program indirectly through individual support, staff support, and logistical support.

(2) Strategy: Incorporate Youth and Government as a formal opportunity for education and through outreach involve more legislators with local clubs as well as with the state event.

ii. Boys' State and Girls' State. These American Legion-sponsored programs are for high school juniors selected by their High Schools to participate. Individual legislators have been involved over the years. The Girls' program, which is held in Helena, uses House and Senate facilities in the Capitol for their legislative session. The Boys' program is conducted in Dillon and hasn't had the same level of direct logistical support. There may be an additional outreach opportunity here.

(1) Strategy: Exploit any opportunity to encourage more legislator participation in and support for these programs.

iii. Other high school based programs. Other organizations, such as the Future Farmers of America, have conducted extensive civic education programs in the past that involve learning how legislative processes work.

(1) Strategy: Identify additional programs that present opportunities for legislator outreach and formulate programs to support legislators to help in these program.

d. **All grade levels.**

An NCSL pilot program called "Legislators in the Classroom" will soon go nationwide. Background information published by NCSL with regard to the pilot stated:

NCSL recently passed a resolution urging the nation's state legislatures to promote civic education on representative democracy because of the public's poor understanding of the operations of state legislatures and the roles of legislators. Improving citizens' knowledge of government is critical to building public trust and confidence in government, according to the NCSL resolution. The emphasis of education on representative democracy should be on the difficulty of resolving competing interests in a diverse society and the importance of negotiation and compromise.

America's Legislators Back to School Day is a valuable opportunity for state legislatures to answer NCSL's call to promote civic education on representative democracy.

The goal of America's Legislators Back to School Day is to educate future citizens about what it is like to be a state legislator and what the legislature does. It will also result in focusing state legislators on civic education on the same day all across the country, building personal links between schools and legislators and providing legislators an opportunity to observe what is going on in schools.

NCSL will prepare resource, marketing and promotional materials about America's Legislators Back to School Day for legislative leaders, legislators, schools, teachers and media. Resource materials will include talking points about legislatures and the legislative process and suggestions for age-group appropriate activities with students. We will also produce follow-up materials for teachers to use in the classroom. Materials will be produced in both hard copy and electronic format to maximize distribution and accessibility.

The Center for Civic Education, the American Association of School Administrators, the National Association of Elementary School Principals and the National Association of Secondary School Principals have agreed to serve as partners with NCSL in this program. These organizations will send endorsement letters to their coordinators and members urging them to invite legislators into the schools, and they will aid in planning the event.

Attached is a page from the NCSL website <http://www.ncsl.org/public/backsch.htm> that includes ideas for legislators on how to make the most of such an event.

- i. Strategy: Become actively involved in bringing the America's Legislators Back to School Day Program into Montana.

e. **College level.**

- i. Legislative Intern Program. The Legislature created Montana's Legislative Intern Program in 1969 to offer an opportunity for students of government in their college junior or senior year to learn the job of a legislator first hand. Students are assigned to work directly with sponsoring legislators during a legislative session. Since the mid 1980's, the program has foundered for a variety of reasons. There remains great potential to attract excellent students to a program that offers an opportunity for in-depth education into the legislative process. To revitalize the program there needs to be more attention paid to recruiting students, provision of stipends to students, designing regular educational components like weekly seminars into the program, and de-emphasizing, but not eliminating, the "cheap labor" concept with which the program has been seen by many.

- (1) Strategy: Commit to revitalizing this potentially valuable program emphasizing its educational component rather than its utilitarian component.

- f. **Adult education.** Adult education in this context includes exploitation of opportunities to bring the legislature's message to people in their clubs and groups. People are naturally curious about the legislature. Often their interest is in what is being done with respect to particular policy areas. Political machinations often are entertaining but can be off putting to people as well. Even more challenging is the introduction of legislative process information in these settings. But a legislator speaking to a local service club, for example, has an opportunity to include a little about the process. Encouraging members to do this and arming them with a speakers' kit with talking points and other speaking aids could promote more active education in the adult community.

- i. Strategy: Promote legislators speaking to adult groups in their districts about the legislative process as well as about policy and political issues of interest.

- ii. Strategy: Prepare a speakers' kit with talking points and other supporting materials to assist legislators in fulfilling the first strategy.

Conclusion

This preliminary paper has outlined a number of potential strategies to meet the Legislative Council's concern about how public education about the legislature can be improved. Certainly committee members and other interested persons may add more ideas to these. Fulfilling the strategies will require dedication, hard work, and resources of time (staff and legislator time alike). Establishing clear priorities will be important. The number of national programs aimed at the same concern is testimony to the extent to which the Council has identified a truly significant issue that deserves such time and attention for the benefit of the American way of government.



America's Legislators Back to School Day

Suggestions for Legislators

America's Legislators Back to School Day, sponsored by the National Conference of State Legislatures, is a national day on which state legislators across the country visit schools and classrooms to talk about the legislature and to observe activities in the schools. The goals are to educate future citizens about the legislative process, focus state legislatures on civic education on the same day across the country, and build links between the schools and legislatures.

Message

America's Legislators Back to School Day is designed to teach students what it's like to be a state legislator-to put kids in the shoes of a legislator. The core messages that should be conveyed are:

- # Legislators care-about constituents' needs and problems and what they think about issues. Legislators are committed to public service.
- # Legislators deal with lots of competing interests-every viewpoint is heard on every issue.
- # People don't agree on most issues-it's hard to find solutions to public problems.
- # Negotiation and compromise are necessary to solve public problems-the legislative process is often messy and contentious because of the competing interests and lack of agreement.

The purpose of this day is not to teach about the three branches of government or how a bill becomes a law but rather to help students understand the pressures, conflicts and difficulties that legislators deal with in trying to solve public problems.

Activities

These messages can best be conveyed through discussions and activities on issues that students care about. Examples of topics that might be important to kids in your state include school uniforms, school violence, driving age, helmets for bicyclists or roller bladers, video game restrictions, smoking on campus, graffiti, competency

testing to graduate, curfews.

Kids will learn best about what it's like to be a legislator if lessons are personalized to you and to them. Following are some suggestions for activities that you could undertake with a class. These ideas will work best in classrooms rather than in large, all-school assemblies. NCSL discourages legislators from addressing large school assemblies for purposes of America's Legislators Back to School Day.

Activity	Age Group	Description
<i>Legislative Simulation</i>	High School or Middle School	This activity requires advance planning and coordination with the classroom teacher. Ask the teacher to work with the class in advance of your visit to choose a public policy issue of importance to the students and to prepare a simple, one-sentence proposal to solve the problem. On your day in the classroom, ask several students to form a "committee" to hold public hearings on the proposal. Have other students present brief "testimony" for and against the proposal. Then have the committee members debate the proposal and make a recommendation on the proposal to the full class. Finally, have the full class debate and vote on the proposal. At the conclusion of the simulation, discuss how this exercise relates to the process of dealing with competing interests, negotiating, compromising and decision making that you experience in legislative life.
<i>Solving a class problem</i>	All grade levels	Ask the students to pretend that they can have a field day to go anywhere that their entire class can agree on. Divide the class into three approximately equal size groups that want to do three different things (e.g. go to the mall, go swimming, go to a ball game). Ask them to resolve the disagreement and come to a class consensus. Assist them in negotiating, compromising and reaching a decision. At the conclusion, discuss how this exercise relates to the process of dealing with competing interests, negotiating, compromising and decision making that you experience in legislative life.
<i>A day in the life of a legislator</i>	All grade levels	Select a page from a legislative day on your personal calendar (if possible, enlarge the page on an overhead slide) and go over that day with the class. A well-selected day would allow you to illustrate such things as dealing with constituent problems, listening to diverse points of view on a difficult issue, negotiating, compromising, decision-making and balancing your personal and professional life with legislative life. You could start the session by asking the students what they do in a typical day. Consider bringing along your spouse or children to talk about what it's like to be part of a legislator's family.

<i>The perfect chocolate chip cookie</i>	Elementary School	Ask the students to decide as a class how they will make a batch of chocolate chip cookies to take home to their families. Begin by asking what makes a perfect chocolate chip cookie. When they are unable to agree, lead them through a process of deciding on nuts or no nuts, many or few chips, soft or chewy, thick or thin.... At the conclusion, discuss how this exercise relates to the process of dealing with competing interests, negotiating, compromising and decision making that you experience in legislative life.
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